

Calendar No. 533

114TH CONGRESS
2D SESSION

S. 2340

[Report No. 114-289]

To require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 2, 2015

Mr. CASSIDY (for himself, Mr. PETERS, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JUNE 28, 2016

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Making Electronic
3 Government Accountable By Yielding Tangible Effi-
4 ciencies Act of 2015” or the “MEGABYTE Act of 2015”.

5 **SEC. 2. OMB DIRECTIVE ON MANAGEMENT OF SOFTWARE**

6 **LICENSES.**

7 (a) **DEFINITION.**—In this section—

8 (1) the term “Director” means the Director of
9 the Office of Management and Budget; and

10 (2) the term “executive agency” has the mean-
11 ing given that term in section 105 of title 5, United
12 States Code.

13 (b) **OMB DIRECTIVE.**—The Director shall issue a di-
14 rective to require each executive agency to develop a com-
15 prehensive software licensing policy, which shall—

16 (1) identify clear roles, responsibilities, and cen-
17 tral oversight authority within the executive agency
18 for managing enterprise software license agreements
19 and commercial software licenses; and

20 (2) require the executive agency to—

21 (A) establish a comprehensive inventory,
22 including 80 percent of software license spend-
23 ing and enterprise licenses in the executive
24 agency, by identifying and collecting informa-
25 tion about software license agreements using
26 automated discovery and inventory tools;

1 (B) regularly track and maintain software
2 licenses to assist the executive agency in imple-
3 menting decisions throughout the software li-
4 cense management life cycle;

5 (C) analyze software usage and other data
6 to make cost-effective decisions;

7 (D) provide training relevant to software
8 license management;

9 (E) establish goals and objectives of the
10 software license management program of the
11 executive agency; and

12 (F) consider the software license manage-
13 ment life cycle phases, including the requisition,
14 reception, deployment and maintenance, retire-
15 ment, and disposal phases, to implement effec-
16 tive decision making and incorporate existing
17 standards, processes, and metrics.

18 (e) REPORT ON SOFTWARE LICENSE MANAGE-
19 MENT.—

20 (I) IN GENERAL.—Beginning in the first fiscal
21 year beginning after the date of enactment of this
22 Act, and in each fiscal year thereafter through fiscal
23 year 2018, each executive agency shall submit to the
24 Director a report on the financial savings or avoid-

1 ance of spending that resulted from improved soft-
2 ware license management.

3 (2) AVAILABILITY.—The Director shall make
4 each report submitted under paragraph (1) pub-
5 lically available.

6 SECTION 1. SHORT TITLE.

This Act may be cited as the “Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016” or the “MEGABYTE Act of 2016”.

10 SEC. 2. OMB DIRECTIVE ON MANAGEMENT OF SOFTWARE

11 **LICENSES.**

12 (a) *DEFINITIONS.*—*In this section—*

13 (1) the term "Director" means the Director of the
14 Office of Management and Budget; and

(2) the term “Executive agency” has the meaning given that term in section 105 of title 5, United States Code.

18 (b) *OMB DIRECTIVE.*—The Director shall issue a di-
19 rective to require the Chief Information Officer of each Ex-
20 ecutive agency to develop a comprehensive software licens-
21 ing policy, which shall—

22 (1) identify clear roles, responsibilities, and cen-
23 tral oversight authority within the Executive agency
24 for managing enterprise software license agreements
25 and commercial software licenses; and

- 1 (2) require the Chief Information Officer of each
2 Executive agency to—
3 (A) establish a comprehensive inventory, in-
4 cluding 80 percent of software license spending
5 and enterprise licenses in the Executive agency,
6 by identifying and collecting information about
7 software license agreements using automated dis-
8 covery and inventory tools;
9 (B) regularly track and maintain software
10 licenses to assist the Executive agency in imple-
11 menting decisions throughout the software license
12 management life cycle;
13 (C) analyze software usage and other data
14 to make cost-effective decisions;
15 (D) provide training relevant to software li-
16 cense management;
17 (E) establish goals and objectives of the soft-
18 ware license management program of the Execu-
19 tive agency; and
20 (F) consider the software license manage-
21 ment life cycle phases, including the requisition,
22 reception, deployment and maintenance, retire-
23 ment, and disposal phases, to implement effective
24 decision-making and incorporate existing stand-
25 ards, processes, and metrics.

1 (c) REPORT ON SOFTWARE LICENSE MANAGEMENT.—

2 (1) IN GENERAL.—Beginning in the first fiscal
3 year beginning after the date of enactment of this Act,
4 and in each of the following 5 fiscal years, the Chief
5 Information Officer of each Executive agency shall
6 submit to the Director a report on the financial sav-
7 ings or avoidance of spending that resulted from im-
8 proved software license management.

9 (2) AVAILABILITY.—The Director shall make
10 each report submitted under paragraph (1) publically
11 available.

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